


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	
UNITED STATES OF AMERICA	:	<u>INFORMATION</u>
	:	
- v. -	:	20 Cr. 90 (VB)
	:	
MICHAEL MAGNALDI,	:	
	:	
Defendant.	:	
- - - - -	X	

COUNT ONE

**(Aiding and Assisting Preparation of False and Fraudulent U.S.
Individual Income Tax Returns)**

The United States Attorney charges:

1. From at least in or about 2014 up to and including at least in or about 2018, in the Southern District of New York and elsewhere, MICHAEL MAGNALDI, the defendant, willfully and knowingly did aid and assist in, and procure, counsel, and advise the preparation and presentation under, and in connection with matters arising under, the internal revenue laws of the United States, of a return, affidavit, claim, and other document, to wit, United States Individual Income Tax Returns (Forms 1040) and accompanying forms and schedules, including Forms 5498 (relating to contributions to an Individual Retirement Account) and Forms 1098-T (demonstrating payments of qualified educational expenses) in response to correspondence audits, for multiple taxpayers for tax years 2014 to 2017, which returns were false and fraudulent as to material matters, in that, among other things, the returns

fabricated and/or falsely overstated items such as false Schedule D Capital Losses (from reported capital loss carryover), Individual Retirement Account deductions, and Education credits.

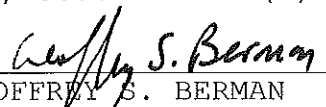
(Title 26, United States Code, Section 7206(2).)

COUNT TWO
(Subscribing to False Individual and S Corporation Income Tax Returns for Tax Year 2016)

The United States Attorney further charges:

2. From at least in or about 2016 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, MICHAEL MAGNALDI, the defendant, willfully and knowingly did make and subscribe a United States Individual Income Tax Return (Form 1040) for the tax year 2016 and a United States Income Tax Return for an S Corporation (Form 1120S) for the tax year 2016 for a tax return preparation business that MAGNALDI co-owned, which returns contained and were verified by written declarations of MAGNALDI that they were made under penalties of perjury, and which returns MAGNALDI did not believe to be true and correct as to every material matter, to wit, as MAGNALDI then and there knew, the Form 1040 and the Form 1120S reported incomes which were false as they materially understated MAGNALDI's own and his business's income.

(Title 26, United States Code, Section 7206(1).)



GEOFFREY S. BERMAN
United States Attorney

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Defendant.

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(26 U.S.C. §§ 7206(2), 7206(1).)

GEOFFREY S. BERMAN
United States Attorney.
